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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,088	12/04/2001	Shigeki Fukuta	826.1776	8024
21171	7590	07/21/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LU, KUEN S	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 07/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/000,088

Applicant(s)

FUKUTA ET AL.

Examiner

Kuen S. Lu

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on May 13, 2005.
2. As for the Applicant's Remarks on claim rejections, filed on May 13, 2005, has been fully considered by the Examiner, please see discussion in the section ***Response to Arguments***, following the Office Action for non-Final Rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 10-15, 19-24, 28-33 and 37-38 are rejected are rejected under U.S.C. 102(e) as anticipated by Zhou (U.S. Publication 2002/0157014).

As per claims 1, 10, 19, 28 and 37, Zhou teaches the following:

"a personal information database selection unit selecting a personal information database based on rules from a personal information storage unit including a plurality of personal information databases respectively storing personal information regarding potential situations of the user" (See Figs. 1B, 4A-4B and Page 4, [0036]-[0037] wherein Zhou's query string is entered to perform accurate or exact search on web card

databases to select personal information on web cards is equivalent to Applicant's a personal information database selection unit selecting a personal information database based on rules from a personal information storage unit including a plurality of personal information databases respectively storing personal information about different situations of the user);

"a processing unit processing the personal information database selected by said personal information database selection unit such that the personal information can be read and written" (See Figs. 1A, 4A, Page 2, [0023] and Page 4, [0036]-[0037] wherein Zhou's querying and selection of personal information web card information and updating the web card information from time to time is equivalent to Applicant's a processing unit processing the personal information database selected by said personal information database selection unit such that the personal information can be read and written);

"setting rules, for selecting personal information databases, by the user in advance upon starting a user of a personal information management apparatus" (See Fig. 2B and Page 3, [0028]-[0029] wherein Zhou's personal information is stored and selected based on different groups of classifications, such as business contact, friends and family members, is equivalent to Applicant's setting rules, for selecting personal information databases, by the user in advance upon starting a user of a personal information management apparatus); and

"retaining the rules in memory" (See Fig. 2C and Page 3, [0030] wherein Zhou's privacy control is retained for exercising the control of sending and receiving the web cards, is equivalent to Applicant's retaining the rules in memory).

As per claims 2, 11, 20 and 29, Zhou teaches “comprising a clock unit outputting current time data, wherein said rules are defined based on the time data output by said clock unit” (See Page 5, [0041] wherein Zhou’s authorization of selecting a personal information web cards is based on length of time since lastly contacted and changed from time to time is equivalent to Applicant’s comprising a clock unit outputting current time data, wherein said rules are defined based on the time data output by said clock unit).

As per claims 3, 12, 21 and 30, Zhou teaches “the apparatus comprising a transmission/reception unit, transmitting and receiving data to and from an information processing terminal through the network” (See Fig. 2C and Page 2, [0024] wherein Zhou’s personal information web cards system is configured on network where personal information web cards are exchanged among master and local servers is equivalent to Applicant’s the apparatus comprising a transmission/reception unit, transmitting and receiving data to and from an information processing terminal through the network).

As per claims 4, 13, 22 and 31, Zhou further teaches “rules are defined based on information received by said transmission/reception unit about access path in the network from the information processing terminal” (See Figs. 1B, 2C, Pages 2-3, [0024] and [0029]-[0030] wherein Zhou’s personal information web cards are exchanged among master and servers while the actual disclosure of the personal information web cards are

controlled by pre-defined rules is equivalent to Applicant's rules are defined based on information received by said transmission/reception unit about access path in the network from the information processing terminal).

As per claims 5, 14, 23 and 32, Zhou further teaches "rules are defined based on information received by said transmission/reception unit and designating the information processing terminal" (See Figs. 1B, 2C, Pages 2-3, [0024] and [0029]-[0030] wherein Zhou's personal information web cards are exchanged among master and servers while the actual disclosure of the personal information web cards are controlled by pre-defined rules is equivalent to Applicant's rules are defined based on information received by said transmission/reception unit and designating the information processing terminal).

As per claims 6, 15, 24 and 33, Zhou teaches "comprising a status information input unit inputting any user status information in user status information containing a situation of a user and a status of a user, wherein said rules are defined according to user status information input through said status information input unit" (See Fig. 2C and Page 3, [0030] wherein Zhou's interactive control screen allows user to select and assign information status control, such as privacy control, synchronization, distribution and exchange is equivalent to Applicant's comprising a status information input unit inputting any user status information in user status information containing a situation of a user and a status of a user, wherein said rules are defined according to user status information input through said status information input unit).

As per claim 38, Zhou further teaches the following:

“setting rules used in selecting one of a plurality of personal information databases, the rules based on potential alternative situations of the same user” (See Fig. 2B and Page 3, [0028]-[0029] wherein Zhou’s personal information is stored and selected based on different groups of classifications, such as business contact, friends and family members is equivalent to Applicant’s setting rules used in selecting one of a plurality of personal information databases, the rules based on potential alternative situations of the same user); and

“selecting the one of the plurality of personal information databases based on the set rules upon starting the computer” (See Figs. 1B, 2C, Pages 2-3, [0024] and [0029]-[0030] wherein Zhou’s personal information web cards are exchanged among master and servers while the actual disclosure of the personal information web cards are controlled by pre-defined rules is equivalent to Applicant’s selecting the one of the plurality of personal information databases based on the set rules upon starting the computer).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 7-9, 16-18, 25-27 and 34-36 are rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhou (U.S. Publication 2002/0157014) as applied to claims 1, 10, 19 and 28, and in view of Huang et al. (U.S. Patent 5,966,714, hereafter "Huang").

As per claims 7, 16, 25 and 34, Zhou teaches a personal information management apparatus, method, storage and program as described in 1-6,10-15, 19-24, 28-29, 33 and 37 rejection.

Zhou does not specifically teach detecting the difference between databases and synchronizing the difference, although Zhou teaches master server coordinating the propagation of data synchronization of any updates between the slave servers.

However, Huang teaches "a personal information non-matching detection unit detecting a difference in personal information of predetermined items common to two personal information databases stored in said personal information storage unit" at Fig. 2d, element 230 and col. 8, lines 30-36 by implementing change detection mechanism for detecting the change and difference of mail databases; and

"a personal information non-matching notification unit notifying of the difference detected by said personal information non-matching detection unit" at col. 8, lines 44-48 and col. 12, lines 41-54 by sending database change information to the mail boxes.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Huang's reference with Zhou's by implementing automatic mechanisms for detecting and synchronizing database changes because both references are directed toward personal information management on a network environment where data synchronization is a major issue to affect system performance, the combined teaching would have allowed such system to efficiently synchronize among databases on the network through an automatic but minimal expense of resources. For details, please refer to the backgrounds and summary of the references.

As per claims 8, 17, 26 and 35, Huang further teaches "information synchronization unit amending one piece of different personal information detected by said personal information non-matching detection unit to match the other piece" at Figs 5d-5f, element 340 and col. 14, lines 19-38 where mail database synchronizer is the information synchronization unit.

As per claims 9, 18, 27 and 36, Huang further teaches "information non-matching detection unit detecting a difference in personal information of predetermined items common to two personal information databases stored in said personal information

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storage unit" at Fig. 2d, element 230 and col. 8, lines 30-36 by implementing change detection mechanism for detecting the change and difference of mail databases; and "information synchronization unit amending one piece of different personal information detected by said personal information non-matching detection unit to match the other piece" at Figs 5d-5f, element 340 and col. 14, lines 19-38 where mail database synchronizer is the information synchronization unit.

6. The prior art made of record

C. U.S. Patent 5,966,714

G. U.S. Publication 2002/0157014

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. U.S. Patent 5,873,108

B. U.S. Publication 2003/0018700

D. U.S. Patent 5,920,858

E. U.S. Patent 6,601,076

F. U.S. Patent 6,577,720

H. U.S. Patent 6,202,060

I. U.S. Publication 2002/0144289

J. U.S. Publication 2003/0069874

Response to Arguments

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7. The Applicants' arguments filed on May 13, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

Contact information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu

Patent Examiner

July 18, 2005


Mohammad Ali

Primary Examiner

July 18, 2005